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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR-15-00539 RMW/HRL
)	
Plaintiff,)	STIPULATION TO ADVANCE
)	DETENTION HEARING; AND PROPOSED
vs.)	ORDER
)	
PEDRO MARTINEZ-CASTRO,)	
)	Honorable Howard R. Lloyd
Defendant.)	

STIPULATION

The parties, by and through their respective counsel, hereby stipulate that the detention hearing currently set in this matter for Monday, November 30, 2015, at 1:30 p.m., be advanced to Monday, November 23, 2015, at 1:30 p.m.

The defendant Mr. Pedro Martinez-Castro is charged with a violation of 8 U.S.C. § 1326(a) and (b). Mr. Martinez-Castro made his initial appearance in this matter on November 10, 2015. A detention hearing was subsequently held on November 13, 2015, at which Mr. Martinez-Castro was ordered detained as a flight risk. At that hearing, Mr. Martinez-Castro reserved the right to reopen the detention hearing if additional information became available

1 from which the Court might set conditions of release that would assure his presence at trial.

2 On November 19, 2015, the defense moved to reopen the detention hearing based on
3 changed circumstances, and requested a detention hearing be held on November 30, 2015.

4 However, prior to the November 19 hearing, counsel of record for Mr. Martinez-Castro
5 inadvertently provided a colleague covering the appearance with the incorrect date for the
6 reopened detention hearing. Accordingly, the defense respectfully request that the Court
7 advance the detention hearing to Monday, November 23, 2015.

8 Mr. Martinez-Castro was interviewed on November 18, 2015, by United States Pretrial
9 Services in anticipation of the defense request to reopen the detention hearing. Counsel for Mr.
10 Martinez-Castro is advised that Pretrial Services will have a full bail study prepared and
11 available to the Court by November 23rd. Additionally, counsel for Mr. Martinez-Castro is
12 further advised that Mr. Martinez-Castro's family members, potential sureties, and supporters,
13 that will include the member of his church where he is the Pastor, have previously made
14 arrangements to adjust their schedules to be present on November 23, 2015. Counsel for Mr.
15 Martinez-Castro has consulted with United States Pretrial Services about the request to advance
16 the detention hearing date to November 23, 2015, and they have no objection.

17 Accordingly, the parties therefore respectfully request that the Court advance the
18 defendant's reopened detention hearing date from November 30, 2015 at 1:30 p.m. to November
19 23, 2015, at 1:30 p.m.

20 Dated: November 19, 2015

21 /s/
VARELL L. FULLER
22 Assistant Federal Public Defender
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24 Dated: November 19, 2015

25 /s/
BRIANNA L. PENNA
26 Special Assistant United States Attorney

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~~PROPOSED~~ ORDER

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Good cause appearing and by stipulation of the parties, it is hereby ORDERED that the detention hearing set for Monday, November 30, 2015, is advanced to Monday, November 23, 2015, at 1:30 p.m.

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IT IS SO ORDERED.

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Dated: November 20, 2015

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THE HON. HOWARD R. LLOYD
United States Magistrate Judge